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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) No. CR 10-0642 CRB
14 Plaintiff,)
15 v.) ORDER FOR PSYCHIATRIC EVALUATION
16 JEFFREY HERHOLZ,) PURSUANT TO 18 U.S.C. § 4244
17 Defendant.)
18 _____)
19

20 The Court hereby FINDS that the defendant has been found guilty of two counts of
21 conspiracy to distribute controlled substances, in violation of 21 U.S.C. § 846, two counts of
22 money laundering, in violation of 18 U.S.C. § 1956(h), and one count of distribution of
23 controlled substances, in violation of 21 U.S.C. § 841(a)(1). The defendant has not been
24 sentenced.

25 The Court further FINDS, pursuant to 18 U.S.C. § 4244, that there is reasonable cause to
26 believe that the defendant may presently be suffering from a mental disease or defect for the
27 treatment of which he is in need of custody for care or treatment in a suitable facility.

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1 Therefore the Court ORDERS:

2 1. The defendant shall be remanded to the custody of the Attorney General to be
3 placed in a suitable facility for a reasonable period of time, not to exceed 30 days, for the
4 purpose of conducting a psychiatric or psychological examination of the defendant's mental
5 state.

6 2. A psychiatric or psychological report shall be prepared. The report shall be filed
7 with the Court and copies provided to counsel for the defense and the United States.

8 3. The psychiatric or psychological report shall include:

- 9 a. The person's history and present symptoms;
10 b. A description of the psychiatric, psychological, and medical tests that
11 were employed and their results;
12 c. The examiner's findings;
13 d. The examiner's opinions as to diagnosis, prognosis, and whether the
14 person is suffering from a mental disease or defect as a result of which he
15 is in need of custody for care or treatment in a suitable facility. If the
16 examiner concludes that the defendant is suffering from a mental disease
17 or defect but that it is not such as to require his custody for care or
18 treatment in a suitable facility, the report shall include an opinion by the
19 examiner concerning the sentencing alternatives that could best accord the
20 defendant the kind of treatment he does need.

21
22 **IT IS SO ORDERED.**

23
24 DATED: April 23, 2012

25 
26 HON. CHARLES R. BREYER
27 United States District Judge
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